

**IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

CARLOS VEGA

and

JOSEPH WHITEHEAD,

Plaintiffs,

v.

CITY OF PHILADELPHIA AND

LAWRENCE KRASNER

Defendants.

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CIVIL ACTION

No. 2:19-cv-04039

ORDER

AND NOW, this _____ day of _____, 2021, upon consideration of Defendants' Motion for Leave to File a Supplemental Brief in Support of Defendants' Motion for Summary Judgment, it is hereby ORDERED that said Motion is GRANTED.

The Court hereby enters on the record Defendants' Supplemental Brief in Support of their Motion for Summary Judgment, attached hereto as **Exhibit A**.

The Honorable Gene E.K. Pratter
U.S. District Court Judge

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**MOTION FOR LEAVE TO FILE SUPPLEMENTAL BRIEF IN SUPPORT OF
DEFENDANTS' MOTION FOR SUMMARY JUDGMENT**

Defendants, the City of Philadelphia and Lawrence Krasner, by and through their undersigned counsel, hereby seek leave from this Court to a file the attached Supplemental Brief in Support of Defendants' Motion for Summary Judgment (ECF 34) as to Plaintiff Carlos Vega's employment discriminations claims. As grounds for this Motion, Defendants state:

1. On September 5, 2019, Mr. Vega filed a complaint against Defendants, the City of Philadelphia and Lawrence Krasner, alleging claims of employment discrimination.

2. On November 2, 2020, Defendants filed a Motion for Summary Judgment as to all of Mr. Vega's claims, arguing, *inter alia*, that there were legitimate non-discriminatory reasons for terminating Mr. Vega's employment.

3. The Court held oral argument on Defendants' Motion on January 19, 2021. Defendants' Motion is pending.

4. On May 4, 2021, Mr. Vega commenced a lawsuit by Writ of Summons against Shaun King, Real Justice PAC, and Lawrence Krasner for DA, a political campaign

organization, in the Court of Common Pleas of Philadelphia. *See Vega v. Shaun King, et al.*, Philadelphia Court of Common Pleas, Case No. 210500305.

5. Mr. Vega filed a verified Complaint in the Philadelphia Court of Common Pleas case on May 14, 2021, alleging false light and civil conspiracy claims.

6. The facts alleged by Mr. Vega in his verified complaint admit that Defendants terminated his employment for legitimate non-discriminatory reasons. As discussed in the proposed supplemental brief, those sworn factual allegations by Mr. Vega are that Mr. Krasner has never gotten over losing to Mr. Vega in the *Scott/Mohammed* trial, Mr. Krasner swore to get revenge against Mr. Vega, and Mr. Krasner's long-standing malice and resentment of Mr. Vega caused Mr. Krasner to terminate Mr. Vega's employment in the first week after Mr. Krasner became District Attorney.

7. Accordingly, Defendants' respectfully request leave to file the short supplemental brief in support of their Motion for Summary Judgment attached hereto as **Exhibit A**, to address these new admissions from Mr. Vega. Defendants believe this Supplemental Brief will assist the Court in resolving the issues addressed in Defendants' Motion for Summary Judgment.

WHEREFORE, the Defendants' respectfully request this Court to grant this Motion for Leave to File the attached Supplemental Brief in Support of Defendants' Motion for Summary Judgment.

Respectfully submitted,

**SCHNADER HARRISON SEGAL &
LEWIS LLP**

/s/ David Smith

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**CITY OF PHILADELPHIA LAW
DEPARTMENT**

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/s/ Lisa A. Swiatek

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Dated: June 4, 2021